

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas
FILED

June 10, 2022

Nathan Ochsner, Clerk of Court

United States of America
v.

Case No.

Wesley Issac,
Joshua Rollins, and
Kenneth Washington**4:22-mj-1329***Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 05/31/22, 06/04/22 and 06/8/22 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*USC 18 1951(a) and 2
USC 18 924(c) and 2Aiding and Abetting Interference with Interstate Commerce
Aiding and Abetting Brandishing a Firearm During and in Relation to a Crime
of Violence

This criminal complaint is based on these facts:

See attached affidavit.

☐ Continued on the attached sheet.*Complainant's signature*

Ryan Hilz, TFO

Printed name and title

Sworn to before me via telephone.

Date: 06/10/2022City and state: Houston, Texas*Judge's signature*Dena Hanovice Palermo, United States Magistrate Judge*Printed name and title*

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Ryan Hilz, being duly sworn, do hereby depose and state:

1. I am a Task Force Officer with the Federal Bureau of Investigation (hereafter “FBI”) and an Investigator with the Harris County Sheriff’s Office (hereafter “HCSO”) and have been employed by HCSO since November 2012. During my employment with HCSO and the FBI, I have been trained in investigations relating to violations of the United States Federal Criminal Code, including Title 18 of the United States Code (hereafter “USC”), specifically criminal violations involving organized crime, aggravated robbery, bank robbery, interference with commerce by threats or violence, and aggravated assaults. I am currently assigned to the Houston Division of the FBI, Violent Crime Task Force (hereafter “VCTF”), and have been since June 2020. My primary investigative responsibilities include crimes occurring within the Southern District of Texas.

2. The facts contained in this affidavit are based upon information provided to me by other law enforcement officers, and witnesses. Since this affidavit is made for the limited purpose of supporting a Criminal Complaint, I have not set forth each and every fact learned during the course of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause for the crimes charged. Unless otherwise indicated, where actions, conversations, and statements of others are related herein, they are related in substance and in part only.

3. On Wednesday, June 1, 2022, Affiant learned of an aggravated robbery that occurred at Mr. Smoke Vape Shop, located at 6951 Barker Cypress Road Houston, Harris

County, Texas, on May 31, 2022. The robbery is documented under Harris County case number 2205-13121. Affiant went to the business and met with the manager who provided Affiant with the surveillance video of the robbery. Affiant reviewed the surveillance video and observed two black males inside the business posing to make a purchase. Affiant observed one male wearing a black 'Nike' style baseball hat, a white t-shirt or cloth tied around his face, red t-shirt, black shorts and red shoes with black or dark color around the heel and white soles. Affiant observed the second subject to be a black male, wearing a blue and black color ski mask, white t-shirt, grey shorts. Affiant was able to see facial hair on the side of the first males face, appearing that he has a beard. Affiant observed on the video that as the employee attempts to tender the sale, the male wearing the red t-shirt brandishes a two tone semi-automatic pistol and demands cash from the register, to which the employee complies. Affiant observed that then the males take cash from the register and several products for sale in the store and flee the location on foot.

4. On Saturday, June 4, 2022, Affiant responded to Hot Box Smoke Shop, located at 4025 State Highway 6 North Houston, Harris County, Texas, in reference to an aggravated robbery. The robbery is documented under Harris County case number 2206-01639. Affiant viewed surveillance video from this incident and learned that three unknown males entered the business, posing to be interested in making a purchase. Affiant observed one male to be wearing a camo style print ski mask, white t-shirt, dark gray shorts with camo print extending down the legs, and the same red color shoes with black around the heel and white soles as seen in the video from the robbery Affiant observed on video from Tuesday, May 31, 2022 at Mr Smoke Vape Shop. The second subject appears to be a black male, wearing a multi-color white, blue, and black ski style mask, gray hoodie, blue pants, white socks and slide style sandals and the third subject appears to be a black male, wearing a camo style ski style mask, black t-shirt, red shorts

and black shoes. Affiant observed on the video that the employee is attempting to tender the sale, when the first male brandishes a tan color revolver, pointing it at the employee's face. At this same time, the third male can be seen walking around the counter, brandishing a black semi-auto pistol. Affiant observed on the video that all three males take cash from the register and the desk in the back of the business, as well as products for sale in the store and the employee's wallet and cell phone, before leaving the location. Affiant observed on the video that the suspects, flee to an older model Ford F-150 crew cab and leave the scene. Affiant observed in the surveillance video, the truck was not displaying a license plate on the back and had a black color license plate holder with chrome border on the front of the vehicle. Affiant also observed what appeared to be some kind of aftermarket sticker applied to the back tail gate, below the F-150 factory badging on the left side of the tailgate.

5. While on scene at Hot Box Smoke Shop, Affiant was advised by Mr. Khush Prajapati, (the victim) that his credit card was just used at a local Handi Stop gas station. A nearby Handi Stop, located at 17702 Keith Harrow Boulevard Houston, Harris County, Texas, was located and surveillance video was obtained. Affiant reviewed the surveillance video and observed the same Ford F-150 enter the parking lot and pull up to the gas pump furthest to the east. Affiant observed that the male subject wearing the red shoes, with black heels and white soles walks into the store and purchases 2 cans of beer before returning to the truck. Affiant observed that the suspect had the same mask on his head as seen in the Hot Box Smoke Shop video, which was pulled up around the top of his head, exposing his face. Affiant observed the male had a full beard, which Affiant knows to be consistent with the video from Mr. Smoke Vape Shop as well.

6. Affiant reviewed surveillance video from Hot Box Smoke Shop and observed the male wearing the black t-shirt approaching the front door of the business. Affiant observed the subject appear to be texting on his cell phone as he entered the business. Affiant observed what appear to be the tips of the subject's dreads sticking out from under the back of the mask. Affiant observed the tips of the subjects dreads appeared to be highlighted.

7. A short time later, Affiant learned of a second aggravated robbery which occurred at Mad Dog Smoke Shop, located at 12921 FM 1960 Road West Houston, Harris County, Texas. The robbery is documented under Harris County case number 2206-01706. Affiant responded to the location and learned after speaking with the victim, identified as Stephanie Bautista, and reviewing the surveillance video, two males entered the store, posed to make a purchase and as the employee was attempting to get an item out of the display cabinet, one male brandished a pistol, and the two males took cash and products for sale from the shop and fled the location on foot. Affiant obtained and reviewed surveillance video from the smoke shop and observed the same Ford F-150 traveling northbound on FM 1960 Road West. The video shows that the vehicle turns into the parking lot of the Express Oil Change business, located just north of the smoke shop, which was currently closed. A short time later, the two subjects are observed walking south through the parking lot toward the smoke shop. Affiant observed the first male to be the same male wearing the red shoes with black heels and white soles and the second to be a white male, wearing a red baseball style hat, neck gator style face mask, black t-shirt, blue jean shorts and black shoes. Affiant observed the subjects go to the counter and pretend to make a purchase, and as the employee is attempting to get an item out of a display cabinet, the first male brandishes the same tan color revolver observed in previous robberies. Affiant observed the male point it at the female employee's head, and the two males take cash from the register and items for sale in the

store and flee northbound through the parking lot. A few seconds after fleeing out of camera view, the F-150 is seen exiting the parking lot, traveling northbound on FM 1960.

8. During affiant's investigation, Affiant was advised by Lieutenant M. Ferguson, who Affiant knows to be a certified peace officer in the State of Texas, of an aggravated robbery that occurred at Don Hair and Nails, located at 614 Mason Road Katy, Harris County, Texas, on May 28, 2022. The robbery is documented under Harris County case number 2205-12011. Lieutenant Ferguson advised the robbery was committed by two black males, one of which had a beard and a two tone pistol, which Affiant knows to be consistent with the firearm the male displayed in the robbery on Tuesday, May 31, 2022. Affiant reviewed the case report, spoke with the lead Investigator H. Nguyen, with the Sheriff's Office, and learned the two males entered the location and inquired about services. As the employee was discussing with another employee on who would take the client, one male brandished a silver color pistol, took the employees wallets and removed cash. The two males fled back to what was described as a white pickup and fled the location. Affiant reviewed surveillance video and observed the suspect vehicle is the same Ford F-150 with the black license plate holder with chrome border on the front as seen in the surveillance video from the two robberies on June 4, 2022. Affiant observed the second male to be a black male, thin build, with what appears to be dreads that fall just above his shoulder, and a thin goatee.

9. Affiant utilized the 'FLOCK' data base and searched 'FLOCK' cameras on the west side of Harris County for older model Ford-F-150. Affiant located a photo of a white 2008 Ford F-150 crew cab, bearing Texas temporary license plate 0161W50, VIN 1FTRW12W58FA51435. Affiant also observed a red dealership sticker affixed below the F-150 factory badge on the left side of the tailgate, which Affiant observed to be consistent with the location of the sticker

observed on the suspect vehicle. Affiant conducted a search of the temporary license plate and found the vehicle is registered to a male subject, identified as Wesley Issac, date of birth 08/26/1993. Affiant conducted a search of Issac's name and date of birth through NCIC/TCIC and found Issac is a black male, 5'06" tall and 140 lbs. Affiant located a Facebook account for Issac and found he has just above the shoulder length dreads and a thin goatee, meeting the description of the second male in the aggravated robbery on May 28, 2022.

10. On Sunday, June 5, 2022, Detective Palomo, with Cy-Fair ISD Police, who was assisting your affiant with the investigation went to Issac's registered address and located the F-150 parked in front of the residence. The truck was observed to have the black license plate holder with chrome border displayed on the front of the truck.

11. On Monday, June 6, 2022, your Affiant and investigators with the Violent Crimes Task Force were conducting surveillance on the above listed F-150, which was parked along Stockton Falls Drive, in front of 6111 Settlers Village Circle East Katy, Harris County, Texas, which is the registered address of this vehicle. While conducting surveillance, Affiant and the other investigators were advised of a drive-by shooting that just occurred at the residence 6115 Settlers Village Circle East Katy, Harris County, Texas. Affiant and the other investigators responded to the scene and while on scene, Affiant met with Wesley Issac in reference to the shooting incident. While meeting with Wesley Issac, Issac provided his phone number as 318-451-3180. Affiant also observed Wesley has mid length dreads with highlighted tips, and has the same physical build as the male wearing the black t-shirt with highlighted tips in the Hot Box Smoke Shop surveillance video. While at the scene, your Affiant was advised by Sergeant C. Anderson, with the Sheriff's Office, at the time deputies made initial contact with Issac at his residence, Issac was found to possess a revolver pistol. Affiant was provided a photo of the

pistol, which your Affiant observed the pistol to be a brown frame with black handle revolver. Affiant found the pistol matched the same pistol used in the two committed on Saturday, June 4, 2022.

12. While on scene, Affiant observed another male at the location, later identified as Zachary Vaughn, who Affiant visually identified as the same male seen entering Don Hair and Nails on May 28, 2022 with the thin build, short dreads and a thin goatee. While speaking with Wesley, he advised Zachary was at his house at the time of the drive-by shooting and had run outside with him after the shots were fired. While on scene, Zachary identified himself and provided his full name and date of birth.

13. On Wednesday, June 8, 2022, Affiant and Investigators with the FBI Violent Crimes Task Force continued surveillance on the white F-150. Investigators found the truck was parked outside of several apartment complexes in the 5400 block of Timber Creek Place Houston, Harris County, Texas. On this date, at approximately 7:54pm, your Affiant was contacted by Investigator J. Coddou with the Harris County Sheriff's Office Violent Crime Unit that a smoke shop robbery just occurred at 3111 Fry Road Katy, Harris County, Texas by two black male subjects wearing ski masks. Investigator Coddou advised he was enroute to the scene and would provide information. Affiant began responding to the scene and while enroute, a second aggravated robbery call was dispatched that just occurred at the Rock N Roll It Smoke Shop, located at 3014 Barker Cypress Road Houston, Harris County, Texas.

14. Affiant responded to the scene at Rock N Roll It and reviewed surveillance video from the store. In the surveillance video, you Affiant observed one of the subjects to be wearing the same white t-shirt with the crown picture and the word king printed underneath as the subject is wearing in the surveillance video of the robbery on Tuesday, May 31, 2022. Your Affiant was

contacted by Investigator Coddou and advised that he obtained surveillance video of the suspect vehicle, which was identified as a red/maroon color Dodge Challenger.

15. Investigators went to the truck and began conducting surveillance on the Ford F-150, which was parked in the 5400 block of Time Creek Place. While conducting surveillance, Agent Collins observed the red Challenger pull up and parked behind the F-150. Agent Collins observed 3 males exit the Challenger and get into the F-150 and drive away, leaving the Challenger. The F-150 was stopped and the occupants were identified as the following: (driver) Wesley Issac, (front passenger) Kenneth Washington, and (rear seat passenger) Joshua Rollins.

16. Two semi-automatic pistols, the same ski-style masks seen in surveillance video, a stolen vape pen from Rock N Roll It Smoke Shop, as well as cash was recovered from the vehicle. Issac was observed to be wearing the white t-shirt with the crown photo and the word "king" underneath. Rollins was observed to be wearing the same white t-shirt, black shorts and sandals as seen in surveillance video from the two earlier robberies. Washington was also found to be in possession of the key to the Dodge Challenger.

17. All three subjects were transported to the FBI Houston Main Office, located at 1 Justice Park Drive, where they were interviewed by your Affiant and Agent Collins. Affiant first met with Rollins who was provide with his Miranda Warning, which he stated he understood and agreed to speak. During the interview, your Affiant showed Rollins a screen shot from the surveillance video from Don Hair and Nails, from the May 28th robbery. Rollins identified himself as the subject in the surveillance video with the full beard wearing the black baseball style hat. Rollins was also shown a screen shot from the Handi Stop gas station from inside the store and identified himself in the screen shot, at the gas station where the victim's credit card was used after the robbery at Hot Box Smoke Shop on June 4, 2022. Affiant asked Rollins what

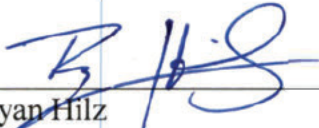
he was doing with the cash from the robberies and he stated he has a son with type 1 diabetes and has been giving the money to his son's mom.

18. Agent Collins and your Affiant then met with Issac in reference to the robberies. Issac was provided with his statutory warning, which he stated he understood and agreed to speak. During the interview with Issac confessed to his involvement in each of the robberies. Issac identified his truck as the suspect vehicle in the May 28th robbery at Don Hair and Nails, stating he was seated in the front passenger seat of the vehicle. Issac identified himself as the male wearing the white t-shirt with the crown picture and the word "king" printed underneath on the May 31st robbery at Mr. Smoke Smoke shop. Issac identified himself as the male wearing the black t-shirt, holding a small caliber semi-automatic pistol and removing cash from the register during the robbery at Hot Box Smoke Shop. Issac confessed that he was seated inside of his vehicle during the second robbery at Mad Dog Smoke Shop on June 4th. Issac further confessed that he and Rollins were the subjects who entered the two smoke shops earlier that night. Issac further confessed to receiving cash from each of the robberies, although he could not remember the exact totals. During the interview with Issac, he stated he and Rollins were the two subjects inside the store during the robbery at Mr. Smoke Shop on May 31st. Issac stated Washington was driving his truck on May 31st and Washington knew the male employee at the Smoke Shop and set up the robbery. During the interview, Issac also identified Washington as the male in the surveillance video during the Hot Box Smoke Shop robbery on June 4, 2022 wearing the gray hoodie.

19. Agent Collins and your Affiant then met with Washington who was provided with his Miranda Warning, which he stated he understood and agreed to speak. During the interview, Washington stated he has a lot going on in his life, but denied any knowledge of the robberies.

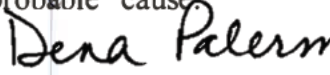
Washington stated he was driving the red Challenger earlier that day and stated he thought they were going to get bullet for their gun. This statement was strange since they went to two different area smoke shops, which would not be a location that a subject would purchase ammunition. Later during the interview, Washington stated he wished to have his attorney present, at which time the interview was concluded. During the interview with Washington, I found he has the same physical characteristics and build as the male suspect seen in the Hot Box Smoke Shop surveillance video wearing the gray color hoodie. I also observed Washington to walk in the same manor, placing his left arm behind his back, while holding his right arm, which was down by his side, same as the male does in the surveillance video while walking around inside the smoke shop.

19. Based on the foregoing your Affiant believes there is probable cause to believe that on May 31, 2022, June 4, 2022, and June 8, 2022, ISSAC, ROLLINS and WASHINGTON committed aiding and abetting Interference with Commerce by Robbery in violation of Title 18, United States Code, Section 1951(a) and 2. Further Based on the foregoing Affiant believes there is probably cause to believe that ISSAC, ROLLINS and WASHINGTON committed aiding and abetting brandishing of a firearm during and in relation to a crime of violence in violation of Title 18 United States Code 924(c)(1)(A)(ii) and 2.



Ryan Hilz
Task Force Officer
Federal Bureau of Investigations

Sworn to and subscribed before me by telephone on this the 10th day of June, 2022 and I find probable cause.



Hon. Dena Palermo
United States Magistrate Judge